IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE CIVIL JURISDICTION

REVIEW PETITION NO.5 OF 2004
IN
LETTERS PATENT APPEAL NO.315 OF 1998
IN
FIRST APPEAL NO.1244 OF 1998
IN
SUIT NO.8719 OF 1968

Nariman Nassarwanji Dubash & Anr...Petitioners

Versus

Clover Co-operative Housing Society..Respondent

Ms. Deepa Chavan along with Ms. Sonali Kunekar i/b. Haresh Mehta & Co., for the Petitioners.
Mr. A.A. Sayed, for Respondent.

CORAM: F.I. REBELLO & Anoop V.Mohta,JJ.
DATE : 1st December, 2004

P.C.:

. This is an application for review of our judgment dated 18th August, 2004. On hearing learned Counsel We do not find that this is a fit case for review. Hence Application for review rejected.

2. The learned Counsel for the petitioners, however, points out that the Review Applicants are old and so far they have been unable to find any place to shift. On the other hand on behalf of the Respondents it is submitted that the Applicants being Parsis there are several Charitable Institutions specifically for Parsis, where, if the applicants do not have premises of their own, can find accommodation. Apart from this it is their contention that the applicants do have their own premises.

3. It is the second contention that the Applicants have deposited some amount before the City Civil Court and that amount should be released in their favour. The Respondents have no objection for the same.

4. Considering the above, to our mind, in order to enable the Applicants to make arrangement for residence the ends of justice would be met if we grant time upto 31st March, 2005 to the Applicants to surrender the premises. This will be subject to both the Review Applicants filing usual undertakings within four weeks from today. In so far as the amount deposited in the City Civil Court, on an application made by the Review Applicants the City Civil Court to release the amount in favour of the Applicants. Review Application disposed of accordingly. No order as to costs.

. Parties/Authorities to act on an ordinary copy of this order duly authenticated by the Personal Secretary of this Court.

(F.I. REBELLO, J.)

(ANOOP V. MOHTA, J.)